

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CLINT PHILLIPS, III,

Plaintiff,

VS.

OFFICER R. MOORE, *et al.*,

Defendants.

Case No. 4:24-cv-00045-MTS

MEMORANDUM AND ORDER

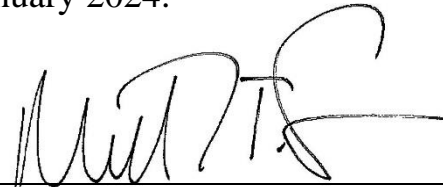
This matter is before the Court on review of the file. Plaintiff has filed a pro se Complaint in this matter but has not paid the required filing fee. *See* 28 U.S.C. § 1914(a), (b). Nor has Plaintiff moved to proceed in forma pauperis. Plaintiff currently is a “prisoner” as that term is defined under 28 U.S.C. § 1915(h). Because he previously has filed at least three actions¹ while a prisoner that the Court later dismissed as frivolous, malicious, or because they failed to state a claim upon which relief may be granted, Plaintiff cannot proceed with his instant action unless he prepays the entire \$405 filing fee. 28 U.S.C. § 1915(g); *see also Gonzalez v. United States*, 23 F.4th 788, 789 (8th Cir.), *cert. denied*, 142 S. Ct.

¹ See, e.g., *Phillips v. St. Louis City Police Officers*, 4:17-cv-01637-HEA (E.D. Mo.); *Phillips v. Romeo*, 4:17-cv-01636-NAB (E.D. Mo.); *Phillips v. City of St. Louis*, 4:11-cv-00791-CEJ (E.D. Mo.).

2837 (2022) (“After three strikes, a litigant loses the right to sue without prepaying the filing fee.”).²

The Court will provide Plaintiff through **Thursday, February 15, 2024** to prepay the entire filing fee of \$405 in full or the Court will dismiss this action without prejudice and without further notice.

So **ORDERED** this 26th day of January 2024.

A handwritten signature in black ink, appearing to read 'MTS', is written over a horizontal line.

MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE

² His Complaint does not, in any way, show he is under imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g).